



By Express & Certified Mail  
September 15<sup>th</sup>, 2011

United States Bankruptcy Court Southern District of New York  
Debtor Lehman Brothers Holdings, Inc.  
Case Number 08-13555

Creditor / Claimant Name Rodney A. Plaskett

Re: Creditor Hereby Opposes Debtor's Motion To Reclassify Creditor's Claims  
Against Debtor as Equity Interests or Equity Awards

Description of the basis and the amount of the Claim:  
\$62,290.47 (the "Amount") in earned trading commissions.

The Amount is the sum total of trading commissions that had been earned by Creditor and was in Debtor's possession when Debtor filed its bankruptcy petition. The Amount is a definable cash amount that was not based on Debtor **giving** (emphasis supplied) Creditor anything. Creditor earned said amount (commissions) working for Debtor and thus was wages. At the time of the Debtor's filing for bankruptcy said Amount was **not**: a restricted stock unit, a contingent stock award, stocks options, or other equity-related compensation, both distributed and not distributed, or vested or unvested (collectively, the "Equity Awards"). Debtor in no manner **gave** Creditor compensation in the manner of Equity Awards. Creditor, in his original filing before the court, showed the court what proof he could acquire from Debtor which showed that Creditor had earned the Amount which is the basis of this claim.

Creditor demands payment of the Amount pursuant to 11 U.S.C. Sec. 507(a)(4) as the Amount was commissions earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business.

Further, in that the Amount was not an Equity Award, but in fact a definable dollar amount, Creditor calls upon the Court to discover from the Debtor or the Debtor's successor in interest, where such monies went.

Further, if the Amount was an Equity Award, Creditor calls upon the Debtor to show proof in writing that Creditor had been granted or received said Equity Award.

Further, in the event the Court determines that the Amount constituted an Equity Award, Creditor hereby claims that the Amount and any other amounts contributed thereto, were in fact contributions to an employee benefit plan pursuant to 11 U.S.C. Sec. 507 (a) (5). Every month Debtor withheld a percentage of Creditor's **earned** commissions to be used and said commissions were to be used in a benefit plan that was completely and totally under Debtor's control and discretion. Clearly, the Debtor's Equity Award Plan which was subtitled "Life @ Lehman Your **Benefits** and Life Balance" should be deemed a benefit plan as that is what Debtor itself deemed it.

Page 2.

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\$62,290.47 (the "Amount") in earned trading commissions.

I, Rodney A. Plaskett, solely possess ultimate authority to reconcile, settle, or otherwise resolve the Claim.

40 Birchwood Lane  
Hartsdale, New York 10530  
914-419-0025/raplaskett@aol.com

By: Rodney A. Plaskett  
On this Fifteenth Day of September, 2011

  
Creditor